

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE
EASTERN DIVISION

RBP, LLC,)
)
Plaintiff,)
)
vs.)
)
GENUINE PARTS COMPANY and)
INDIANA INSURANCE COMPANY,)
)
Defendants.)

NO.: 04-1154-T-An

GENUINE PARTS COMPANY,)
)
Third-Party Plaintiff,)
)
vs.)
)
ALLIANZ GLOBAL RISKS U.S.)
INSURANCE COMPANY and)
LEXINGTON INSURANCE)
COMPANY,)
)
Third-Party Defendants.)

ORDER GRANTING PLAINTIFF'S THIRD MOTION TO AMEND

Before the Court is Plaintiff's Third Motion to Amend filed on May 26, 2005.

Defendants failed to file a response to the motion as required by Local Rule 7.2(a)(2).

"Failure to timely respond to any motion, other than one requesting dismissal of a claim or action, may be deemed good grounds for granting the motion." Local Rule 7.2(a)(2). As such, the motion is well taken and the Plaintiff's Motion is **GRANTED**. Plaintiff is directed to file with the Clerk of the Court its Second Amendment to its Amended Complaint and serve same

upon the respective Defendants within ten days from the date of entry of this Order.

IT IS SO ORDERED.



S. THOMAS ANDERSON
UNITED STATES MAGISTRATE JUDGE

Date: June 22, 2005



Notice of Distribution

This notice confirms a copy of the document docketed as number 105 in case 1:04-CV-01154 was distributed by fax, mail, or direct printing on June 23, 2005 to the parties listed.

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Honorable James Todd
US DISTRICT COURT